

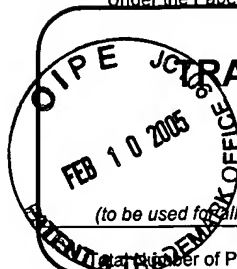
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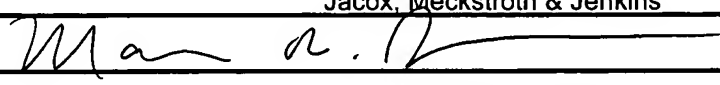
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	TRANSMITTAL FORM		
	Application Number	10/675361	
	Filing Date	09-30-2003	
	First Named Inventor	David Louis Kirschman	
	Art Unit	3738	
	Examiner Name	PHILOGENE, PEDRO	
(to be used for all correspondence after initial filing)		Attorney Docket Number	KRS 001 P2
Total Number of Pages in This Submission			

ENCLOSURES (Check all that apply)		
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Remarks Supplemental Information Disclosure Statement Under 37 CFR 1.97(b)		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Matthew R. Jenkins Jacox, Meckstroth & Jenkins		
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Applicant(s) : David Louis Kirschman
Serial No. : 10/675361
Filed : September 30, 2003
Title : SPINAL FUSION SYSTEM AND METHOD
FOR FUSING SPINAL BONES
Group : 3738
Docket : KRS 001 P2

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Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97(b)

Pursuant to the provisions of 37 CFR §1.97(b) Applicants wish to disclose the materials listed below and on the attached form PTO/SB/08A which the Examiner may find relevant to the examination of the above-identified patent application. Pursuant to the Official Gazette Notice of August 5, 2003, copies of issued U.S. patents and/or U.S. patent applications are not required and are not enclosed. Copies of any foreign or non-patent reference materials are enclosed herewith.

Patent/Pub. No.	Issue/Pub Date	Inventor	Title
4,611,581	09-16-1986	Steffee	Apparatus for Straightening Spinal Columns
4,696,290	09-29-1987	Steffee	Apparatus for Straightening Spinal Columns
5,084,049	01-28-1992	Asher et al.	Transverse Connector For Spinal Column Corrective Devices
5,425,772	06-20-1995	Brantigan	Prosthetic Implant For Interverbral Spinal Fusion
5,549,612	08-27-1996	Yapp et al.	Osteosynthesis Plate System
5,601,553	02-11-1997	Trebing et al.	Locking Plate and Bone Screw

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5,681,311	10-28-1997	Foley et al.	Osteosynthesis Apparatus
5,713,899	02-03-1998	Marnay et al.	Cervical Cage Designed for the Performance of Intersomatic Arthrodesis
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6,030,389	02-29-2000	Wagner et al.	System and Method for Stabilizing the Human Spine With a Bone Plate
6,152,927	11-28-2000	Farris et al.	Anterior Cervical Plating System
6,159,211	12-12-2000	Boriani et al.	Stackable Cage System for Corpectomy/Vertebrectomy
6,159,213	12-12-2000	Rogozinski	Cervical Plate
6,193,721	02-27-2001	Michelson	Multi-Lock Anterior Cervical Plating System
6,235,033	05-22-2001	Brace et al.	Bone Fixation Assembly
6,245,108	06-12-2001	Biscup	Spinal Fusion Implant
6,258,089	07-10-2001	Campbell et al.	Anterior Cervical Plate and Fixation System
6,261,586	07-17-2001	McKay	Bone Graft Composites and Spacers
6,368,351	04-09-2002	Glenn et al.	Intervertebral Space Implant For Use in Spinal Fusion Procedures
6,383,186	05-07-2002	Michelson	Single-Lock Skeletal Plating System

6,398,783	06-04-2002	Michelson	Multi-Lock Anterior Cervical Plate
6,416,528	07-09-2002	Michelson	Anterior Cervical Plating System, Instrumentation, and Method of Installation
6,428,542	08-06-2002	Michelson	Single-Lock Anterior Cervical Plate
6,432,106	08-13-2002	Fraser	Anterior Lumbar Interbody Fusion Cage With Locking Plate
6,454,769	09-24-2002	Wagner et al.	System and Method for Stabilizing the Human Spine With a Bone Plate
6,454,771	09-24-2002	Michelson	Anterior Cervical Plating System
6,527,776	03-04-2003	Michelson	Locking Element for Locking at Least Two Bone Screws to an Orthopedic Device
6,533,786	03-18-2003	Needham et al.	Anterior Cervical Plating System
6,558,424	05-06-2003	Thalgott	Modular Anatomic Fusion Device
6,569,201	05-27-2003	Moumene et al.	Hybrid Composite Interbody Fusion Device
6,575,975	06-10-2003	Brace et al.	Bone Fixation Method
6,599,290	07-29-2003	Bailey et al.	Anterior Cervical Plating System and Associated Method
6,602,257	08-05-2003	Thramann	Cervical Plate
6,605,090	08-12-2003	Trieu et al.	Non-Metallic Implant Devices and Intra-Operative Methods for Assembly and Fixation
6,613,053	09-02-2003	Collins et al.	Surgical Implant
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6,712,818	03-30-2004	Michelson	Method for Connecting Adjacent Vertebral Bodies of a Human Spine With a Plating System
6,755,833	06-29-2004	Paul et al.	Bone Support Assembly
6,776,798	08-17-2004	Camino et al.	Spacer Assembly for Use in Spinal Surgeries Having End Cap Which Includes Serrated Surface
D440311	04-10-2001	Michelson	Anterior Cervical Plate
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2002/0045898	04-18-2002	Freid et al.	System and Method for Stabilizing the Human Spine With a Bone Plate
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2002/0143400	10-03-2002	Biscup	Spinal Fusion Implant
2002/0173790	11-21-2002	Chang et al.	Device of an Anterior Cervical Plate With a Peg and Screw
2002/0183755	12-05-2002	Michelson	Dynamic Anterior Cervical Plate System Having Moveable

2002/0183756	12-05-2002	Michelson	Segments, Instrumentation, and Method for Installation Thereof Dynamic, Modular, Single-Lock Anterior Cervical Plate System, Having Assembleable and Moveable Segments, Instrumentation, and Method for Installation Thereof
2002/0183757	12-05-2002	Michelson	Dynamic Single-Lock Anterior Cervical Plate System Having Non-Detachably Fastened and Moveable Segments, Instrumentation, and Method for Installation Thereof
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2003/0018335	01-23-2003	Michelson	Anterior Cervical Plate System
2003/0045880	03-06-2003	Michelson	Anterior Cervical Plate System
2003/0060828	03-27-2003	Michelson	Dynamic Multilock Anterior Cervical Plate System Having Non-Detachably Fastened and Moveable Segments, Instrumentation, and Method for Installation Thereof
2003/0105462	06-05-2003	Haider	Poly Axial Cervical Plate System
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2003/0187443	10-02-2003	Lauryssen et al.	Anterior Bone Plate System and Method of Use
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2003/0225409	12-04-2003	Freid et al.	Spinal Plate Extender System and Method
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2004/0122426	06-24-2004	Michelson	Bone Plate Having a Portion Adapted to Overlie a Fastener
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2004/0181226	09-16-2004	Michelson	Method for Installing Dynamic, Modular, Single-Lock Anterior Cervical Plate System Having Assembleable and Moveable Segments
2004/0181229	09-16-2004	Michelson	Instrumentation for Use With Dynamic Single-Lock Anterior

			Cervical Plate System Having Non-Detachably Fastened and Moveable Segments
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2004/0193271	09-30-2004	Fraser et al.	Method and Apparatus for Implant Stability
2004/0230309	11-18-2004	DiMauro et al.	In-Situ Formed Intervertebral Fusion Device and Method

Foreign:

<u>Country</u>	<u>Patent/App No.</u>	<u>Issued/Pub</u>	<u>Applicant</u>
GB*	0401362.9		DePuy International Limited
WO	8909035	10-05-1989	Brantigan
CA	1292596	12-03-1991	Brantigan
EP	0307241	12-23-1992	Brantigan
CA	2133276	02-02-1999	AcroMed Corporation
CA	2383634	08-02-2001	Depuy Acromed, Inc.
EP	1437105	07-14-2004	DePuy AcroMed, Inc.

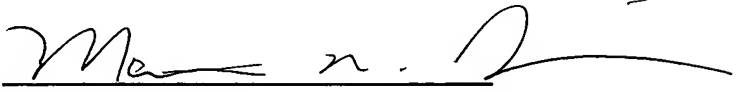
*No copy of the GB 0401362.9 is currently available.

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Respectfully submitted,

JACOX, MECKSTROTH & JENKINS

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STATEMENT BY APPLICANT**
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Sheet

1

of

5

Complete if Known

Application Number	10675361
Filing Date	09-30-2003
First Named Inventor	David Louis Kirschman
Art Unit	3738
Examiner Name	PHILOGENE, PEDRO
Attorney Docket Number	KRS 001 P2

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 4,611,581	09-16-1986	Steffee	
		US- 4,696,290	09-29-1987	Steffee	
		US- 5,084,049	01-28-1992	Asher et al.	
		US- 5,425,772	06-20-1995	Brantigan	
		US- 5,549,612	08-27-1996	Yapp et al.	
		US- 5,601,553	02-11-1997	Trebing et al.	
		US- 5,616,144	04-01-1997	Yapp et al.	
		US- 5,681,311	10-28-1997	Foley et al.	
		US- 5,713,899	02-03-1998	Marnay et al.	
		US- 5,716,415	02-10-1998	Steffee	
		US- 5,843,082	12-01-1998	Yuan et al.	
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		US- 6,193,721	02-27-2001	Michelson	
		US- 6,235,033	05-22-2001	Brace et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
		GB 0401362.9		DePuy International Ltd		
		WO 8909035	10-05-1989	Brantigan		
		CA 1292596	12-03-1991	Brantigan		
		EP 0307241	12-23-1992	Brantigan		
		CA 2133276	02-02-1999	AcroMed Corporation		
		CA 2383634	08-02-2001	Depuy Acromed, Inc.		

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Application Number	10675361
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First Named Inventor	David Louis Kirschman
Art Unit	3738
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		Number-Kind Code ² (if known)			
		US- 6,245,108	06-12-2001	Biscup	
		US- 6,258,089	07-10-2001	Campbell et al.	
		US- 6,261,586	07-17-2001	McKay	
		US- 6,368,351	04-09-2002	Glenn et al.	
		US- 6,383,186	05-07-2002	Michelson	
		US- 6,398,783	06-04-2002	Michelson	
		US- 6,416,528	07-09-2002	Michelson	
		US- 6,428,542	08-06-2002	Michelson	
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		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		EP 1437105	07-14-2004	DePuy AcroMed, Inc.		

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		US- 2002/0183757	12-05-2002	Michelson	

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Application Number	10675361
Filing Date	09-30-2003
First Named Inventor	David Louis Kirschman
Art Unit	3738
Examiner Name	PHILOGENE, PEDRO
Attorney Docket Number	KRS 001 P2

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 2002/0188296	12-12-2002	Michelson	
		US- 2003/0018335	01-23-2003	Michelson	
		US- 2003/0045880	03-06-2003	Michelson	
		US- 2003/0060828	03-27-2003	Michelson	
		US- 2003/0105462	06-05-2003	Haider	
		US- 2003/0181912	09-25-2003	Michelson	
		US- 2003/0187443	10-02-2003	Laurysen et al.	
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FOREIGN PATENT DOCUMENTS						
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		Number-Kind Code ² (if known)			
		US- 2004/0133205	07-08-2004	Thramann et al.	
		US- 2004/0181226	09-16-2004	Michelson	
		US- 2004/0181229	09-16-2004	Michelson	
		US- 2004/0186476	09-23-2004	Michelson	
		US- 2004/0193269	09-30-2004	Fraser et al.	
		US- 2004/0193271	09-30-2004	Fraser et al.	
		US- 2004/0230309	11-18-2004	DiMauro et al.	
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